

REMARKS

This Request for Reconsideration is filed in response to the non-final Office Action of May 11, 2010 in which claims 1-6, 8-11, 13, 15, 16, 18 and 19 were rejected.

Regarding the newly applied obviousness rejection beginning in Section 5 on page 2 of the Detailed Action, the Examiner has rejected claims 1-4, 6, 8-11, 13, 15-16 and 18-19 as being unpatentably obvious over *De Beer* (US 2003/0165227) in view of the newly applied *Sears et al* reference (US 2002/0069263).

The *De Beer* reference has been discussed extensively in response to previous office actions. The Examiner has admitted that the *De Beer* reference does not disclose that the response from the network serving entity comprises network information identifying one or more network operators providing services to the one or more telephone numbers. For this, the Examiner has now applied the newly cited *Sears* reference stating that the limitation is found in that reference, pointing to paragraphs 0012-0013 and 0038-0041.

A review of the *Sears et al* reference does not reveal any disclosure whatsoever having to do with telephone numbers. There is no mention at all of any telephone number. Therefore, it is incorrect for the Examiner to state in the first paragraph on the top of page 4 of the Detailed Action that the limitation of “receiving a response from said network serving entity, said response comprising network information identifying one or more network operators providing services to said one or more telephone numbers” may be found in the *Sears* reference.

Moreover, even for the sake of argument that were true, the rationale advanced by the Examiner to justify the combination, i.e., in order to provide the user with more options for selecting and/or downloading the different services, or advertisements such as sales from different providers for saving cost, is inconsistent with the *De Beer* reference in both its disclosure and in its objects. *De Beer* has to do with identifying a preferred route for routing a call to a call destination which is done in response to a telephone number input to

a telephone 20 and the routing is done by means of a modified telephone number which does not identify one or more telephone operators providing services to the one or more telephone numbers. There is nothing in the *Sears et al* reference that would add such a feature to the disclosure of *De Beer* and the obviousness rejection to claim 1 is therefore inapplicable. Since they have similar limitations, the same may be said for the other independent claims 9, 15, 16, 18 and 19 and withdrawal of the obviousness rejection of them is requested as well. The dependent claims rejected on this ground are nonobvious for at least the same reasons. Withdrawal of the obviousness rejection of 1-4, 6, 8-11, 13, 15-16 and 18-19 is requested.

Regarding claim 5, it depends from claim 3 which in turn depends from claim 1 and is nonobvious for at least the same reasons as given above in connection with applicant overcoming the obviousness rejection of claim 1. Withdrawal of the obviousness rejection of claim 5 is requested.

The objections and rejections of the Office Action of May 11, 2010, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-6, 8-11, 13, 15, 16, 18 and 19, as amended, to issue is earnestly solicited.

Respectfully submitted,

/Francis J. Maguire/

Francis J. Maguire
Attorney for the Applicant
Registration No. 31,391

FJM/lk
WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP
755 Main Street, P.O. Box 224
Monroe, CT 06468
Tel: (203) 261-1234